



## *NPS Mission & History*

### *NPS Fundamentals I*

# Module 3: The NPS and The Federal Government

To be effective in government service, you need to understand your role within the NPS, but also within the Department of the Interior—and the role in the federal government as a whole. While it may seem that your job is far removed from the day-to-day proceedings of the federal legislature, we are all tightly connected to what goes on in the nation's capital. Politics at the national level—as well as the state and local levels—are integral to your daily work for the parks. *This module is divided into the following pages:*

### **The Department of the Interior**

- DOI Bureaus

- DOI Offices

### **The Federal Government**

- The Executive Branch

- The Legislative Branch

- Congressional Committees

- The Judicial Branch

- The budget Process

# The NPS and The Federal Government

The DOI is the nation's principal conservation agency. Its mission is "to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian tribes and our commitments to island communities."

Learn more: [DOI Organizational Chart](http://www.doi.gov/whoweare/orgchart.cfm)

<http://www.doi.gov/whoweare/orgchart.cfm>



**The Department of the  
Interior Seal**

The Department of the Interior has the following eight bureaus.

- National Park Service
- U.S. Fish and Wildlife Service
- Bureau of Indian Affairs
- Bureau of Land Management
- Office of Surface Mining
- Bureau of Ocean Energy Management, Regulation and Enforcement
- Office of Reclamation
- U.S. Geological Survey

# The NPS and The Federal Government



**Ken Salazar the Secretary of  
The Department of the  
Interior**

The leader, or Secretary, of the DOI is one of the members of the President's cabinet. Like all cabinet members, the Secretary of the Interior is appointed by the President.

The Secretary of the Interior oversees the work of the Deputy Secretary of the Interior, our assistant secretaries, and eight DOI bureaus. The NPS and the U.S. Fish and Wildlife Service are under the supervision of the Assistant Secretary for Fish, Wildlife and Parks. On the next several slides you will learn about some of the offices within the Department of the Interior.

Learn more: [Ken Salazar](http://www.doi.gov/whoweare/secretarysalazar.cfm)

<http://www.doi.gov/whoweare/secretarysalazar.cfm>

# DOI Offices

There are two important offices within the Department of the Interior, the Office of Inspector General and the Office of the Solicitor.

**Office of Inspector General (OIG):** provides policy direction and conducts audits and investigations.

The purpose of the OIG is to:

- Promote economy and efficiency, and prevent and detect fraud, waste, and abuse
- The Inspector General's office acts as an independent agency. It is responsible for objectively reviewing the department's operations to make sure it is fulfilling its duties properly. If the Inspector General identifies any problems or shortcomings in the way the DOI is administering its programs and operations, it must report those problems to the Secretary of the Interior and to Congress.
- The OIG also reviews DOI programs and activities to make sure they are in compliance with the law and with criminal and civil investigative authorities.

Learn more:

[Office of the Inspector General](http://www.doioig.gov/)

<http://www.doioig.gov/>

# DOI Offices

**The Office of the Solicitor:** is the DOI's general legal counsel. It provides a full range of legal services to the department's secretary, assistant secretaries, bureaus, and offices, including the following:

- Representation in administrative and judicial litigation,
- Representation in meetings, negotiations, and other contacts with Congress, other Federal agencies, states, tribes, interest groups, and the public,
- Drafting and legal review of legislation, regulations, contracts, leases, permits, correspondence, and other documents,
- Preparation of formal legal opinions, and
- Furnishing of informal legal advice in a wide variety of circumstances.

Learn more:

[Office of the Solicitor](http://www.doi.gov/solicitor/)

<http://www.doi.gov/solicitor/>

# The Federal Government

*"We hold these truths to be self evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights that are among these are Life, Liberty and the pursuit of Happiness. That to secure these Rights, governments are instituted among men deriving their powers from the consent of the governed"*  
*--The Declaration of Independence*

In this section, you will look at the U.S. Federal government and how its various branches relate to the NPS.



**US Constitution. Archives  
Photo**

The U.S. Constitution forms the foundation of our federal government. It was written in 1787 and has been amended or changed only 27 times.

The framework of our republic divides the federal government into three branches: executive, legislative, and judicial. Together, these branches make, interpret, and carry out the laws that govern the United States. Because the branches have both individual and shared powers, each is accountable to the others. This system of "checks and balances" ensures that no one branch has undue power.

# The Executive Branch



**President Barack Obama**

<http://www.whitehouse.gov>

The executive branch of the federal government is led by the President of the United States. Article II of the U.S. Constitution outlines the duties and powers of the executive branch. These include the power to either sign or veto bills that have been passed by the U.S. Congress—the legislative branch.

Learn more: [US Constitution](#)

<http://archives.gov/exhibits/charters/>

The President has authority over the Executive Office of the President and the Cabinet. The executive offices include the Office of Management and Budget and the National Security Council, among others. The Cabinet is made up of the secretaries of the 15 executive departments, along with the Cabinet Rank Members.

# The Executive Branch

They are 15 Executive Departments:

Department of Agriculture (USDA)

Department of Commerce (DOC)

Department of Defense (DOD)

Department of Education (ED)

Department of Energy (DOE)

Department of Health and Human Services (HHS)

Department of Homeland Security (DHS)

Department of Housing and Urban Development (HUD)

Department of Justice (DOJ)

Department of Labor (DOL)

Department of State (DOS)

Department of the Interior (DOI)

Department of the Treasury

Department of Transportation (DOT)

Department of Veterans Affairs (VA)



# The Executive Branch

The secretaries of these departments are appointed by the President and confirmed by the Senate. They are responsible for advising the President on subjects relating to their departments and promoting the President's policies.

The offices and departments in the executive branch are staffed by both political and civil service personnel. Political personnel, who are called "schedule Cs," are appointed by the President and typically stay in their positions until the conclusion of the President's term in office. Civil service personnel, on the other hand, are career civil servants whose job tenure is not tied to a particular President's term in office.

# The Executive Branch

## The NPS and the Executive Branch

The National Park Service is part of the Department of the Interior (DOI).



**The Executive Branch.  
White House Photo**

As an intern with the NPS, you work with staff that work for the executive branch of the federal government. Because the President appoints the leaders of both the DOI and the NPS, the executive branch's policies and priorities have a direct impact on the Service's agenda.

The NPS is also affected by this branch in another way. The President's power to pass or veto legislation means that the executive office has a very direct influence on bills that may be either favorable or unfavorable to the NPS. The Office of Management and Budget—one of the executive offices—assists the President in developing the administration's position on legislation that is before Congress and, if the bill is passed, executing the law.

# The Legislative Branch



**The Legislative Branch.**  
**White House Photo**

## **The Legislative Branch**

The U.S. government's legislative branch is comprised of two legislative bodies: the House of Representatives and the Senate. Article I of the U.S. Constitution outlines the legislative branch's duties and powers. Most important among these is the power to make laws, including laws that allocate money to federal programs such as the NPS.

Every Congress lasts two years and has two sessions. For example, the 112th Congress convened in January of 2011 and will end in December of 2013. During a Congress, most legislation is first created in one of several committees in the House or Senate. Once a bill is voted out of committee, it must go before the whole House or Senate for a vote.

# The Legislative Branch



**The Legislative Branch.**  
**White House Photo**

The leaders of the House and Senate are members of the majority party in their respective branches. These leaders have a great deal of control over which legislation comes before the House or Senate for a vote. In addition, members of the majority party often lead the committees that initiate new legislation. A piece of legislation must be voted on and passed by both the House and Senate before it is sent to the President for his signature.

If he signs the bill, then it becomes law; if he vetoes the bill, then it goes back to Congress. It is possible for Congress to override the President's veto, but to do so, two-thirds of the members of both the Senate and the House must vote in favor of the bill.

# The Legislative Branch



**The Legislative Branch.**  
**White House Photo**

**U.S. House of Representatives** has 435 voting members from the U.S. states and five non-voting members.

House membership is based on state population—the larger a state's population, the larger its congressional delegation to the House. For example, California, a state with over 30 million people, has 52 House members, while Vermont, a state with a much smaller population, has only one. On average, each House member represents 585,000 people. The House also has five members who represent Puerto Rico, The U.S. Virgin Islands, Guam, the District of Columbia, and American Samoa. These members can vote in committee, but not on the floor of the House. Members of the House of Representatives are elected for two-year terms. This means that every two years, all 435 seats are up for re-election.

# The Legislative Branch



**The Legislative Branch.**  
**White House Photo**

## **U.S. Senate**

The Senate has two senators from each of the 50 states. There are no senators from U.S. territories. One of the major compromises in the Constitution was to give states with smaller populations, and thus fewer votes in the House, the same number of senators as larger states. No matter how large or small a state may be, it has the same representation in the Senate as any other state. Therefore, although California and Vermont are very different in size and population, they both have two senators.

Senators are elected for six-year terms. This means that one-third of the Senate is re-elected every two years.

# The Legislative Branch

## The NPS and the Legislative Branch

As an intern with the NPS, your relationship with the legislative branch may at first seem less clear than your relationship with the executive branch. But remember, Congress makes laws that can affect the NPS. They also decide how much money the NPS receives each year.



**The Legislative Branch.**  
**White House Photo**

Legislation affecting the NPS often originates in Congressional committees. As the saying goes, “all politics is local” in the American system. That means the feelings and input of voters who live near or visit the park where you work matter a great deal to the members of Congress who represent their interests.

Congressional decisions are also affected by the findings of the Government Accountability Office (GAO). This independent, nonpartisan office studies federal programs, audits federal expenditures, and issues legal opinions. GAO acts as a congressional watchdog, making sure that money that has been allocated to federal bureaus—including the NPS—is being spent properly.

# The Congressional Committees

## **Committees with Jurisdiction over NPS Issues**

The House of Representatives and the Senate each have committees that address issues that directly affect the NPS.

In the House of Representatives, the Committee on Natural Resources focuses on legislation and programs related to our national resources and environment, including energy, water, and public lands. Within this committee are two subcommittees of particular importance to the NPS: the Subcommittee on National Parks and Public Lands; and the Subcommittee on Fisheries Conservation, Wildlife and Oceans.

Committees are the chief working groups in Congress. They hold hearings, draft, debate, and revise legislation. Elected officials who are knowledgeable about a particular policy issue tend to serve on committees that deal with that issue. There are currently over 200 House and Senate committees and subcommittees in Congress. While 200 may sound like a lot, there are only a handful of committees that consistently work on NPS programs and budgets.



# The Congressional Committees

In the Senate, there are two committees that work on NPS programs. The first is the Committee on Energy and Natural Resources and its Subcommittee on National Parks, Historical Preservation, and Recreation.

The second Senate committee that has a direct impact on NPS programs is the Committee on Environment and Public Works and its Subcommittee on Fisheries, Wildlife, and Water.

Learn more:

[Committee on Energy and Natural Resources](http://energy.senate.gov/)

<http://energy.senate.gov/>

[Committee on Environment and Public Works](http://epw.senate.gov/)

<http://epw.senate.gov/>

# The Congressional Committees

## **Committees with Direct Jurisdiction over the NPS Budget**

The development of the budget is multi-staged. Parks submit their budget requests to their regional offices. Each regional office compiles the parks' requests, includes its own budget requests, and submits the information to the Washington Area Service Office. The budget keeps making its way up the hierarchy until it reaches the President, who submits the budget to Congress.

Congressional committees then hold appropriations hearings to review and make recommendations about the various department and bureau budgets. The House and the Senate each have their own Committees on Appropriations. Within these committees, there is a Subcommittee on Interior, Environment and Related Agencies that has jurisdiction over the NPS.

# The Judicial Branch



**The US Supreme Court**

The third branch of the U.S. government, the judicial branch, consists of the Supreme Court and the lower federal courts, including the U.S. Court of Appeals and the U.S. District Courts. The description of the judicial branch's powers, outlined in the third article of the U.S. Constitution, is less specific than the descriptions of the other two branches.

In general, the judicial branch is responsible for interpreting and applying law to resolve disputes. The judicial branch may also, on occasion, rule that a law is unconstitutional.

# The Judicial Branch



**The US Supreme Court**

The Founding Fathers of the nation considered an independent federal judiciary essential to ensure fairness and equal justice for all citizens of the United States. The Constitution they drafted promotes judicial independence in two major ways:

1. Federal judges are appointed for life. They can be removed only through impeachment and conviction by Congress of “treason, bribery, or other high crimes and misdemeanors.”
2. The Constitution provides that the compensation of federal judges “shall not be diminished during their continuance in office.” That means that neither the President nor Congress can reduce the salary of a federal judge.

These two protections help the federal judiciary branch to try cases impartially, without being influenced by popular passion and political pressure.

# The Judicial Branch



**The US Supreme Court Building.**

## **U.S. District Courts**

There are 94 U.S. judicial districts. Most federal cases, including civil and criminal, are initially tried in a district court. This includes violations of the Code of Federal Regulations (CFR) and the U.S. Code.

## **U.S. Court of Appeals**

The 94 judicial districts identified above are organized into 12 regions, or circuits. Each of these circuits contains a court of appeals, which reviews cases from the district courts in its geographic region.

## **U.S. Supreme Court**

The U.S. Supreme Court is the highest court in the country, the forum for last appeal. It consists of eight associate justices and one chief justice. These individuals are nominated by the President, face hearings and majority approval by the Senate Judiciary Committee, and are then confirmed by a majority of the U.S. Senate.

# The Judicial Branch



**The US Supreme Court Building.**

## **The NPS and the Judicial Branch**

You may think that this is the governmental branch that has the least to do with you as an intern with the NPS. But remember, because the NPS is a federal agency, lawsuits filed against the NPS are usually tried in the federal court system. The courts also interpret laws that may influence the NPS.

A case involving the NPS would be initially heard in the U.S. District Court that has jurisdiction. If an appeal is sought, it would be heard at the U.S. Court of Appeals. In most cases, the U.S. Supreme Court chooses cases that involve constitutional issues. This is the final opportunity for a case to be argued.

A 1998 case filed by the Southern Utah Wilderness Alliance questioned the use of a jeep trail within Canyonlands National Park. This lawsuit changed the way the NPS assesses impacts on park resources from recreational and other activities.

# The Budget Process



Understanding how the budget process works is important because it has serious implications for how every NPS park and office is funded, maintained, improved, and administered. In recent years, as park visitation has increased, so has the need for increased maintenance, new facilities, and educational and interpretive programs.

Paying for these programs requires more money than is available from federal tax dollars. So more and more, the National Park Service is relying on alternative funding sources—like the Federal Lands Recreation Enhancement Act (FLREA) you learned about in Module 1—to provide its spending capital.

# The Budget Process



The primary source of revenue used to fund the NPS is individuals like you who pay taxes, make donations, and pay fees to visit the various parks. Fees collected from park visitors under FLREA have increased NPS annual revenue by tens of millions of dollars.

Another important source of funding for the NPS is its partners—such as the congressionally mandated National Park Foundation and any number of other independent national, state, and local organizations—conduct fundraising activities designed to support individual parks and the Service.

How does the money get from where it starts, with taxpayers and park users, to the park units?

The answer lies in the budget process.



# The Budget Process



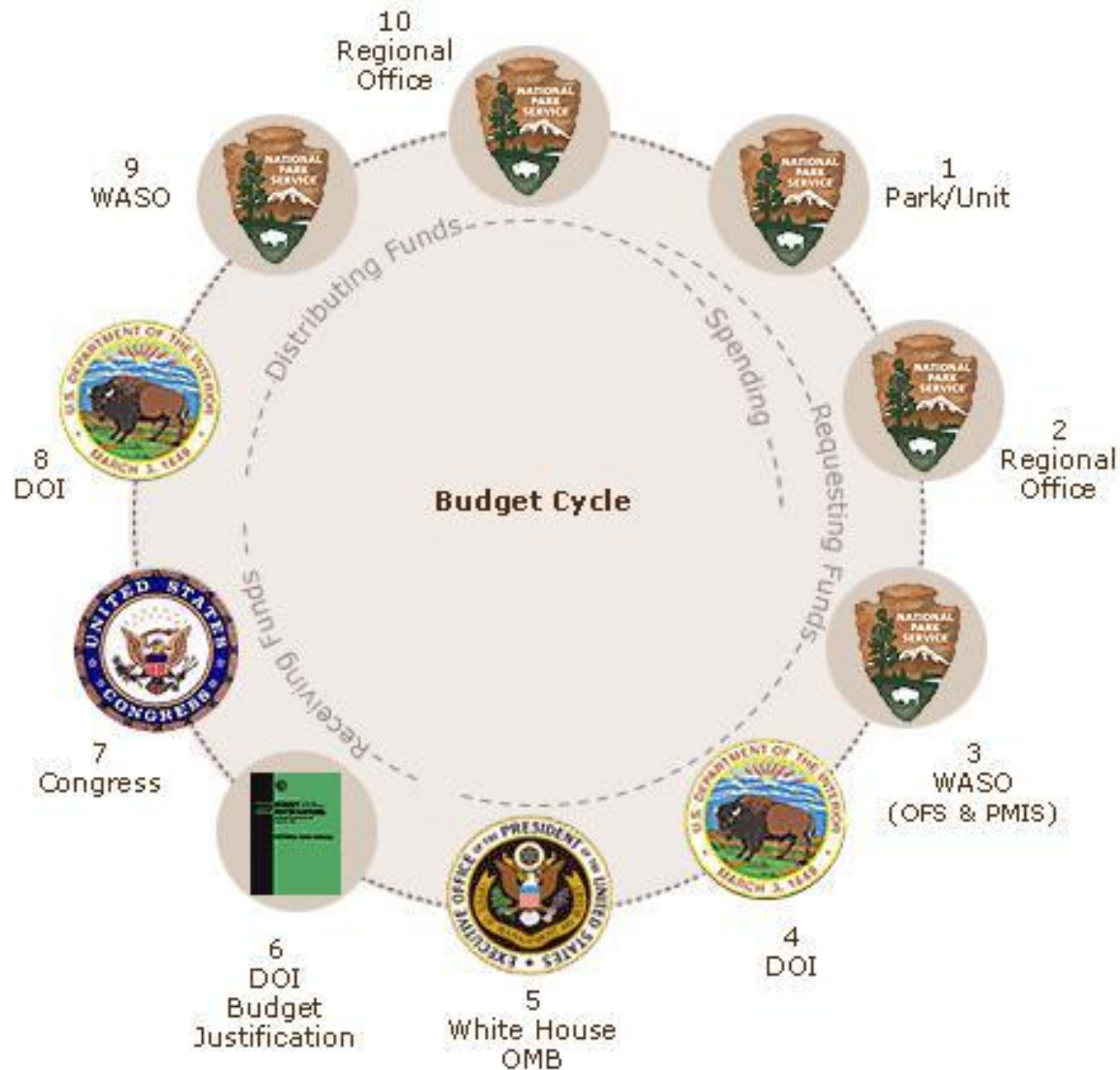
The development of a budget is multi-staged. It starts at the park, then moves through several levels of review and approval before finally being passed into law. The budget developed by park unit becomes part of the regional budget, which in turn becomes part of the total NPS budget, and so forth. At each level, the budget is also subject to modification, as politicians, partners, and special interest groups lobby for how federal money should be allocated or used.

The NPS Receives 7 Appropriations from Congress:

1. Operation of the NPS (ONPS)
2. United States Park Police
3. Construction and Major Maintenance
4. Land Acquisition and State Assistance
5. National Recreation and Preservation
6. Historic Preservation Fund
7. Urban Park and Recreation Fund.

Most parks get their main funding from the ONPS, with funding for central office programs coming from other appropriation categories.

# The Budget Process



This graphic illustrates the NPS budget process which will be described on the next few slides.

# The Budget Process

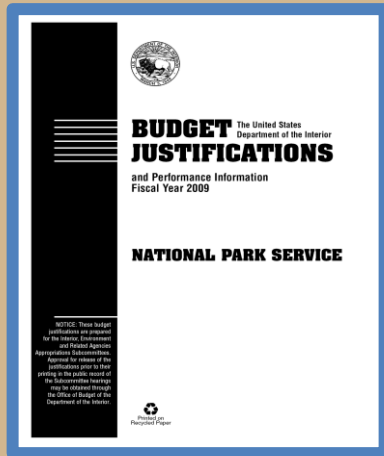


## **Step 1 NPS Park Unit**

The budget process begins at the park level. Each park starts with a base operating budget, which Congress routinely funds each year. Each park then develops increase funding requests, based on its needs and priorities for the coming year. These increase funding requests may be both recurring base increases and one-time project requests.

The park manager develops this budget using a set of guidelines known as the Service-wide Comprehensive Call (SCC). The budget call includes policies and priorities as well as target funding levels identified by the presidents Office of Management and Budget (OMB)

# The Budget Process



**NPS Greenbook**

## Step 2 NPS Regional Office

The parks submit their budget requests to their regional offices, which reviews them and makes necessary adjustments. The regional offices consolidate all the requests for the parks in their region into one priority listing, which they submit to the WASO budget office.

## Step 3 NPS WASO

The WASO budget division reviews all budget requests from the regions and modifies them as needed. It then consolidates those requests, incorporating Service-wide budget needs, into a single proposal which is submitted to the Department of Interior (DOI). The proposal, which explains why the requested funds are needed and how they will be spent, is officially called a Budget justification or Greenbook.

# The Budget Process



**OMB Seal**

## **Step 4 NPS Regional Office**

The DOI reviews the NPS Budget Justification. While it is also reviewing similar reports from each of its other bureaus. Requests from all the bureaus are considered together and measured against overall department priorities, then consolidated into a single budget for DOI. This document is submitted to the President's Office of Management and Budget (OMB).

## **Step 5 Executive Branch**

OMB prepares a budget proposal for the entire federal government. It then submits this proposal to the President who modifies and finalizes the proposal. The President's Budget summarizes each agency's budget request and provides supporting documentation. It is submitted to Congress.

# The Budget Process



## Step 6 Legislative Branch

Congress holds appropriations hearings to review and make recommendations about the various department and bureau budgets. These hearings are held by 26 appropriations committees—13 in the House and Senate. The DOI budget and NPS budget is reviewed by the House and Senate Subcommittees on Appropriations Interior and Related Agencies.

Both the House and Senate Appropriations Committees draft bills, which must be approved by the whole House and Senate to become a law. If the bills differ, Congressional Conference Committee is formed to resolve the differences and negotiate a single appropriations bills.

# The Budget Process

## **Step 7 Executive Branch**

After both the House and the Senate have approved the Appropriations Bill, it is sent to the President for signature. Once he signs the bill it becomes a law and we have a budget.



## **Step 8 DOI**

The DOI and the NPS are authorized by law to spend the federal funds as laid out in the appropriation.

## **Step 9 NPS: WASO, Regional Offices and Park Units**

Funds are then distributed to the parks/units. The various program managers are responsible for managing the funds. They must ensure that all the money is spent appropriately. This both validates the Budget Justification for the current fiscal year and helps convince Congress to grant budget requests for future years.

# The Budget Process



## Conclusion

It can take more than 20 months to prepare a budget for any given fiscal year. Therefore, at any given time the NPS is working on three separate budgets: two in the proposal stages, and one that is being enacted. For example, while the NPS is enacting the budget passed for this fiscal year, it may be, at the same time, waiting for Congressional approval for next year's budget and formulating a budget proposal to submit for the year after next.